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Attorney for Plaintiff

Peng GAO

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Peng GAO ) Case No.: C 05-2738 CRB

Plaintiff.

*Michael Chertoff*, Secretary of the Department of Homeland Security;  
*Eduardo Aguirre*, Director, U.S. Citizenship and Immigration Services;  
*Condoleezza Rice*, Secretary of State;  
*Robert S. Mueller*,  
Director of Federal Bureau of Investigation;  
*John Daniel Morris*, Consular Section Chief,  
American Embassy Beijing  
*Jeanette Chu*, Officer-In-Charge,  
Department of Homeland Security, Immigration Office at the American Embassy Beijing.

**STIPULATION OF DISMISSAL;  
ORDER**

**Defendants.**

Subject to approval of the Court, the parties hereby stipulates as follows:

1. Pursuant to Fed. R. Civ. P. 41 (a)(1), Plaintiff hereby dismiss this action without prejudice.
  2. The parties will bear their own fees and costs.

Dated: September 7, 2005

Respectfully submitted,

Justin X. Wang, Esq.  
Attorney for Plaintiff

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Dated: September 2, 2005

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Kevin V. Ryan  
United States Attorney

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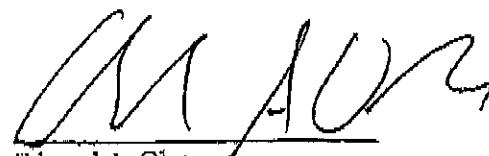
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Dated: September 8, 2005

Edward A. Olsen  
Assistant U.S. Attorney  
Counsel for Defendants

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**ORDER**

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Pursuant to the stipulation of the parties and good cause appearing therefor, IT IS SO ORDERED. This case is hereby dismissed without prejudice. The clerk shall close the file.

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DATED: September 9, 2005

